



## Senate

General Assembly

**File No. 184**

*January Session, 2001*

Substitute Senate Bill No. 1275

*Senate, April 10, 2001*

The Committee on Commerce reported through SEN. LEBEAU of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING TRANSPORTATION PLANNING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) As used in sections 1 to 6, inclusive, of this act:
- 2 (1) "Board" means the Connecticut Transportation Board;
- 3 (2) "Department" means the Department of Transportation;
- 4 (3) "Commissioner" means the Commissioner of Transportation;
- 5 (4) "Vision statement" means a written projected overview of the
- 6 state's transportation network and system at a specified future date;
- 7 (5) "Mission statement" means a written declaration of the purpose
- 8 of the Department of Transportation, including elements that address
- 9 economic development, customer service and sensitivity to other
- 10 societal goals, that is designed to enable all employees of the

11 department to strive for the same goals, philosophy and direction.

12       Sec. 2. (NEW) (a) There is created the Connecticut Transportation  
13 Board, the members of which shall be appointed as follows: (1) The  
14 Governor shall appoint five members, one of whom shall be a member  
15 of the board of directors of any board or commission that oversees  
16 Bradley International Airport; and (2) the speaker of the House of  
17 Representatives, the president pro tempore of the Senate, and the  
18 minority leaders of the House of Representatives and the Senate shall  
19 each appoint one member. The Commissioners of Transportation,  
20 Economic and Community Development, Public Safety and  
21 Environmental Protection, and the Secretary of the Office of Policy and  
22 Management shall serve as nonvoting, ex-officio members of the  
23 board. The appointed members of the board shall be knowledgeable  
24 about transportation and economic development issues. Appointing  
25 authorities shall consider geographical balance of the board in making  
26 appointments. No appointed member shall be an employee of the  
27 department. The term of office of appointed members shall be four  
28 years.

29       (b) The Governor shall appoint the chairperson of the board from  
30 among its members. The board may create other offices it deems  
31 necessary and may fill such offices from among its members. The  
32 powers of the board shall be vested in and exercised by not less than  
33 five members of the board. Five members of the board shall constitute  
34 a quorum.

35       (c) The voting members of the board shall be compensated for their  
36 attendance at any public hearing, meeting, executive session or other  
37 board business that may require their attendance at the rate of two  
38 hundred fifty dollars, except that for each member, daily compensation  
39 shall not exceed two hundred fifty dollars and annual compensation  
40 shall not exceed twelve thousand five hundred dollars.

41       (d) The department shall serve as staff to the board. The board may

42 hire any staff it determines necessary to carry out its functions and  
43 purposes within the available appropriations of the department.

44 Sec. 3. (NEW) The board shall have the following powers, duties  
45 and functions:

46 (1) Create a vision statement for the transportation system in the  
47 state and create a mission statement for the department;

48 (2) Create a ten-year strategic plan and update such plan for the  
49 operation, maintenance and improvement of the transportation system  
50 in the state that emphasizes a comprehensive and balanced state-wide  
51 system, as provided in section 4 of this act; create a ten-year financial  
52 plan and update such plan, as provided in section 5 of this act; develop  
53 performance measures to track progress toward the accomplishment of  
54 goals and objectives outlined in the strategic plan and monitor  
55 implementation of the strategic and financial plans;

56 (3) Consider the actions of and coordinate its planning efforts as  
57 necessary with regional planning organizations, other departments of  
58 the state and of states adjoining this state, and with any other  
59 organization or agency that may affect the operation and success of the  
60 transportation system;

61 (4) Prepare any assessments of the organization of the department  
62 that the board considers necessary;

63 (5) Determine the priority of major projects in the department;

64 (6) Make any changes in the organization of the department that the  
65 board determines are necessary based on any assessments made by the  
66 board, and oversee any other organizational changes in the  
67 department;

68 (7) Review and approve the proposed operating and capital budgets  
69 of the department before submittal to the Governor;

70 (8) Review and approve the Transportation Improvement Program  
71 and the State-Wide Transportation Improvement Program, as  
72 provided in 49 USC Chapter 53, before submittal to the Governor;

73 (9) When there is a vacancy in the position of commissioner, submit  
74 to the Governor a list of not less than three qualified candidates, from  
75 which the Governor shall appoint the commissioner as provided in  
76 section 13b-3 of the general statutes, as amended by this act;

77 (10) Upon a finding by the board of a failure by the commissioner to  
78 carry out the board's policies or of incapacity, neglect of duty or  
79 unlawful conduct by the commissioner, may submit to the Governor a  
80 recommendation for removal of the commissioner;

81 (11) Report annually to the Governor and the joint standing  
82 committees of the General Assembly having cognizance of matters  
83 relating to transportation and economic development on the progress  
84 in implementing the strategic plan in accordance with section 11-4a of  
85 the general statutes; and

86 (12) Establish an advisory committee to advise the board in carrying  
87 out its responsibilities that includes representatives from each regional  
88 planning organization, rail and bus commuters, truck and rail freight  
89 operators and the port and airline industries, a representative from a  
90 state-wide environmental organization having an interest in  
91 transportation policy and such other members as the board considers  
92 appropriate.

93 Sec. 4. (NEW) (a) Not later than one year following the formation of  
94 the board, the board shall create a ten-year strategic plan in  
95 conjunction with the department and after consideration of regional  
96 long-range plans that the board shall use to assist in defining and  
97 prioritizing the objectives of the state's transportation system and in  
98 directing funding toward those objectives. The board shall update the  
99 strategic plan every two years, and shall submit the plan and updated

100 plans to the Governor and the General Assembly every two years in  
101 accordance with section 11-4a of the general statutes.

102 (b) The strategic plan shall (1) address specific topics including, but  
103 not limited to: (A) The role of transportation in economic  
104 development, including, but not limited to, (i) the promotion of  
105 mobility and productivity; (ii) linking transportation modes to achieve  
106 connectivity; (iii) the state's connection to the national and global  
107 transportation network; and (iv) support for economic clusters and  
108 regional economic priorities; and (B) furthering other societal goals,  
109 including, but not limited to, (i) ensuring safety within the system and  
110 maintenance of current transportation assets; (ii) balancing the state's  
111 needs for improvements in transportation and economic development  
112 and the impact of such improvements on the environment, consistent  
113 with the State Plan of Conservation and Development, as provided in  
114 part I of chapter 297 of the general statutes; (iii) providing mobility to  
115 underserved populations; and (iv) treating the users of the  
116 transportation system as customers and focusing on the needs of and  
117 service to the customers as a priority; (2) identify objective criteria and  
118 procedures for prioritizing the state's transportation needs and  
119 expenditures in relationship to the objectives in the strategic plan; and  
120 (3) consider and address matters affecting transportation that are  
121 normally outside the department's control, including, but not limited  
122 to, (A) coordination of land use issues with transportation investments;  
123 (B) coordination with other state agencies, including the Departments  
124 of Economic and Community Development, Environmental Protection  
125 and Public Safety; (C) transportation facilities within the state, such as  
126 regionally significant airports and seaports, including those not under  
127 state control; and (D) the actions of neighboring states with regard to  
128 their transportation networks.

129 (c) In developing and revising the plan, the board may: (1) Conduct  
130 public hearings; (2) consult and cooperate with officials and  
131 representatives of the federal government, neighboring states,

132 interstate commissions and authorities, local agencies and authorities,  
133 interested corporations and other organizations concerning problems  
134 affecting transportation in the state; (3) request and receive from any  
135 agency or other unit of the government of the state or of any political  
136 subdivision of the state, or from any public authority, such assistance  
137 and data as may be necessary to enable the board to carry out the  
138 board's responsibilities under this section; (4) to the extent the board  
139 may deem appropriate, make use of, and incorporate in the plan, any  
140 existing long-range transportation plan, survey or report developed by  
141 any public or private agency or person; and (5) employ consultants.

142 (d) Copies of the plan, as revised, shall be kept on file as a public  
143 record in the office of the board.

144 Sec. 5. (NEW) (a) Not later than one year following the effective date  
145 of this act, the board shall create a ten-year financial plan to identify  
146 the level of investment necessary to achieve the goals in the strategic  
147 plan that is created as provided in section 4 of this act. The board shall  
148 update the financial plan every two years and shall submit the plan  
149 and updated plans to the Governor and the General Assembly every  
150 two years in accordance with section 11-4a of the general statutes.

151 (b) The financial plan shall: (1) Include financial analysis that  
152 considers the estimated costs of implementing such goals, including,  
153 but not limited to, (A) the effect of reallocating current resources; (B)  
154 an exploration of new funding sources; (C) the potential to increase  
155 current fees and charges; and (D) the feasibility of using the state's  
156 General Fund, (2) include recommendations of preferred funding  
157 mechanisms, (3) identify the amount of funds and projects to be  
158 undertaken pursuant to the Americans with Disabilities Act of 1990,  
159 and (4) relative to the Transportation Equity Act for the 21st Century,  
160 (A) identify the funds to be received annually in the following  
161 categories: Interstate construction, interstate maintenance, national  
162 highway system, bridge, surface transportation program, interstate

163 transfer, congestion mitigation and air quality, metropolitan planning,  
164 special projects and any other category designation under the act; (B)  
165 identify the projects to be funded annually through each funding  
166 category; (C) identify the projects to be funded annually through each  
167 category, as a result of the change in formulas and new flexibility  
168 allowed under the Transportation Equity Act for the 21st Century; (D)  
169 identify which projects will require the expenditure of state funds to  
170 leverage federal funds; (E) identify the amount and percentage of state  
171 funds that must be expended for each project in order to leverage  
172 federal funds; (F) identify the amount of federal funds that may be  
173 expended annually to repair local bridges identified as being in poor  
174 condition; (G) identify the economic impact of the federal funds  
175 allocated to the state in terms of job creation or retention; (H) identify  
176 the mass transit projects to be funded; (I) identify the manner in which  
177 the department intends to comply with the requirements of the federal  
178 Clean Air Act, as amended by P.L. 101-549, and how the department  
179 intends to expend any funds allocated to the department to achieve the  
180 goals of the act; and (J) identify with specificity the expenditures to be  
181 made from funds received in the congestion mitigation and air quality  
182 grant.

183       Sec. 6. (a) No later than one year following the effective date of this  
184 act, the board shall prepare written assessments of (1) the organization  
185 of the department to determine if the department is organized  
186 appropriately to carry out its mission and its responsibilities under the  
187 strategic plan, and to analyze the adequacy of the department's  
188 organization, workforce, structure, managerial style and competencies,  
189 and (2) the regional planning organizations and Metropolitan Planning  
190 Organization, aimed at (A) reducing the number of such organizations  
191 by changing planning boundaries to better reflect the needs and  
192 interdependencies of the planning regions after considering the  
193 predominant commuting patterns within regions and concentrations  
194 of economic activity, or (B) developing alternatives to compel existing  
195 regions to respond to the strategic objectives identified in the strategic

196 plan within a larger geographical framework, and submit copies of  
197 such assessments to the Governor and the General Assembly. The  
198 board shall submit such written assessments to the Governor and to  
199 the General Assembly, in accordance with section 11-4a of the general  
200 statutes.

201 (b) If the board does not complete the strategic plan by one year  
202 following the effective date of this act, as provided in section 4 of this  
203 act, the board shall report its progress to the General Assembly on or  
204 before said date and shall identify in the report the reasons it has not  
205 completed the plan.

206 (c) If the board does not complete the financial plan by one year  
207 following the effective date of this act, as provided in section 5 of this  
208 act, the board shall report its progress to the General Assembly on or  
209 before said date and shall identify in the report the reasons it has not  
210 completed the plan.

211 Sec. 7. Section 13b-3 of the general statutes is repealed and the  
212 following is substituted in lieu thereof:

213 There shall be a Department of Transportation which shall be  
214 responsible for all aspects of the planning, development, maintenance  
215 and improvement of transportation in the state. The department head  
216 shall be the Commissioner of Transportation, who shall be appointed  
217 by the Governor in accordance with the provisions of sections 4-5 to 4-  
218 8, inclusive, with the powers and duties therein prescribed, and section  
219 3 of this act. The commissioner shall serve at the pleasure of the  
220 Governor.

221 Sec. 8. Section 13b-4 of the general statutes is repealed and the  
222 following is substituted in lieu thereof:

223 [The] Subject to the direction of the Connecticut Transportation  
224 Board, the commissioner shall have the following general powers,



225 duties and responsibilities:

226 (1) To coordinate and develop comprehensive, integrated  
227 transportation policy and planning to include a long-range master plan  
228 of transportation for the state;

229 (2) To coordinate and assist in the development and operation of a  
230 modern, safe, efficient and energy-conserving system of highway,  
231 mass transit, marine and aviation facilities and services;

232 (3) To promote the coordinated and efficient use of all available and  
233 future modes of transportation;

234 (4) To study commuter and urban travel and in cooperation with  
235 federal, regional and local agencies and persons to formulate and  
236 implement plans and programs to improve such travel;

237 (5) To study means of providing facilities for parking motor vehicles  
238 so as to encourage travel by the combination of motor vehicle and  
239 other modes of transportation and in cooperation with federal,  
240 regional and local agencies and persons to formulate and implement  
241 plans and programs for this purpose;

242 (6) To study means of improving transportation safety and to  
243 formulate and implement plans and programs and promulgate  
244 regulations for this purpose;

245 (7) To study the operations of existing airports, to determine the  
246 need for changes in such airports and the need for future airports, and  
247 to formulate and implement plans and programs to improve aviation  
248 facilities and services;

249 (8) To cooperate with federal, state, interstate and local agencies,  
250 organizations and persons performing activities relating to  
251 transportation;

252 (9) To exercise and perform such other duties and responsibilities as  
253 may be conferred under this chapter and title 13a or as may otherwise  
254 be conferred by law;

255 (10) To prepare a plan setting forth [his] the commissioner's  
256 recommendation for a restructured system of regional transit districts  
257 within the state. Said plan shall be based on: (A) Established patterns  
258 of commuter traffic within the state; (B) federal requirements for  
259 receiving aid under the Urban Mass Transportation Act of 1964, and  
260 (C) present planning regions. On or before February 1, 1978, the  
261 commissioner shall present such plan to the General Assembly;

262 (11) To prepare pertinent reports, including, but not limited to,  
263 detailed reports of energy use analysis by mode of transportation; and

264 (12) To provide for the planning and construction of any capital  
265 improvements and the remodeling, alteration, repair or enlargement of  
266 any real asset that may be required for the development and operation  
267 of a safe, efficient system of highway, mass transit, marine and  
268 aviation transportation, provided the acquisition, other than by  
269 condemnation, or the sale or lease, of any property that is used for  
270 such purposes shall be subject to the review and approval of the State  
271 Properties Review Board in accordance with the provisions of  
272 subsection (f) of section 4b-3.

273 Sec. 9. Subsection (k) of section 13b-11a of the general statutes is  
274 repealed and the following is substituted in lieu thereof:

275 (k) The commission shall have access through the Department of  
276 Transportation to all records, reports, plans, schedules, operating rules  
277 and other documents prepared by rail and bus companies operating  
278 under contract with the state of Connecticut which pertain to the  
279 operations of such companies and to any documents that the  
280 commission may require from the department to carry out its  
281 responsibilities under this section and sections [13b-16,] 13b-17 and

282 16-343, provided this subsection shall not apply to any plans,  
283 proposals, reports and other documents pertaining to current or  
284 pending negotiations with employee bargaining units.

285 Sec. 10. Section 13b-24 of the general statutes is repealed and the  
286 following is substituted in lieu thereof:

287 [(a) The] Subject to the direction of the Connecticut Transportation  
288 Board, the commissioner shall have, with all the powers and duties  
289 established under title 13a, this chapter, and as otherwise provided by  
290 law (1) jurisdiction over the state highway system, [with all the powers  
291 and duties prescribed in this chapter, in title 13a and as otherwise  
292 provided by law] and (2) general responsibility for the highways of the  
293 state.

294 [(b) The Commissioner of Transportation shall have general  
295 responsibility for the highways of the state with all the powers and  
296 duties established under title 13a, this chapter and as otherwise  
297 provided by law.]

298 Sec. 11. Subsection (a) of section 13b-34 of the general statutes is  
299 repealed and the following is substituted in lieu thereof:

300 (a) [The] Subject to the direction of the Connecticut Transportation  
301 Board, the commissioner shall have power, in order to aid or promote  
302 the operation, whether temporary or permanent, of any transportation  
303 service operating to, from or in the state, to contract in the name of the  
304 state with any person, including but not limited to any common  
305 carrier, any transit district formed under chapter 103a or any special  
306 act, or any political subdivision or entity, or with the United States or  
307 any other state, or any agency, instrumentality, subdivision,  
308 department or officer thereof, for purposes of initiating, continuing,  
309 developing, providing or improving any such transportation service.  
310 Such contracts may include provision for arbitration of disputed  
311 issues. The commissioner, in order to aid or promote the operation of

312 any transportation service operating outside the state, may contract in  
313 the name of the state with any person, including, but not limited to,  
314 any common carrier, or with the United States or any other state, or  
315 any agency, instrumentality, subdivision, department or officer  
316 thereof, for purposes of providing any transportation service in the  
317 event such assistance is required in the case of an emergency or a  
318 special event. The state, acting by and through the commissioner, may,  
319 by itself or in concert with others, provide all or a portion of any such  
320 service, share in the costs of or provide funds for such service, or  
321 furnish equipment or facilities for use in such service upon such terms  
322 and conditions as the commissioner may deem necessary or advisable,  
323 and any such contracts may include, without limitation thereto,  
324 arrangements under which the state shall so provide service, share  
325 costs, provide funds or furnish equipment or facilities. To these ends,  
326 the commissioner may in the name of the state acquire or obtain the  
327 use of facilities and equipment employed in providing any such  
328 service by gift, purchase, lease or other arrangements and may own  
329 and operate any such facilities and equipment and establish, charge  
330 and collect such fares and other charges or arrange for such collection  
331 for the use or services thereof as [he] the commissioner may deem  
332 necessary, convenient or desirable. The commissioner may also acquire  
333 title in fee simple to, or any lesser estate, interest or right in, any rights-  
334 of-way, properties or facilities, including properties used on or before  
335 October 1, 1969, for rail or other forms of transportation services. The  
336 commissioner may hold such properties for future use by the state and  
337 may enter into agreements for interim use of such properties for other  
338 purposes.

339       Sec. 12. (NEW) The Connecticut Transportation Board, established  
340 under section 2 of this act, is terminated, effective July 1, 2006, unless  
341 reestablished in accordance with the provisions of section 2c-10 of the  
342 general statutes.

343       Sec. 13. Subsection (a) of section 13b-44 of the general statutes is

344 repealed and the following is substituted in lieu thereof:

345       (a) The state may establish, maintain and operate, and may expand,  
346 an airport at any location within the state in the following manner. The  
347 commissioner shall conduct and complete a study of the adequacy of  
348 existing airports [, which study may be based upon the study  
349 authorized under section 13b-16,] and shall determine the necessity for  
350 the establishment of additional airports or the expansion of existing  
351 airports. The commissioner shall, within one year of the completion of  
352 such study, formulate and adopt a plan of development which shall  
353 incorporate the findings of such study, showing the necessity for such  
354 establishment or expansion, in a manner consistent with the  
355 comprehensive long-range master transportation plan. The plan of  
356 development shall specify the lands or interests therein the acquisition  
357 of which the commissioner deems necessary for such establishment or  
358 expansion and a copy of such plan of development shall be filed in the  
359 office of the town clerk of each municipality in which such  
360 establishment or expansion is proposed.

361       Sec. 14. Subsection (a) of section 16a-27 of the general statutes is  
362 repealed and the following is substituted in lieu thereof:

363       (a) The secretary, after consultation with all appropriate state,  
364 regional and local agencies and other appropriate persons shall prior  
365 to March 1, 1997, complete a revision of the existing plan and enlarge it  
366 to include, but not be limited to, policies relating to transportation,  
367 energy and air. Any revision made after May 15, 1991, shall identify  
368 the major transportation proposals, including proposals for mass  
369 transit, contained in the [master transportation plan prepared pursuant  
370 to section 13b-15] strategic plan prepared pursuant to section 4 of this  
371 act. Any revision made after July 1, 1995, shall take into consideration  
372 the conservation and development of greenways that have been  
373 designated by municipalities and shall recommend that state agencies  
374 coordinate their efforts to support the development of a state-wide

375 greenways system. The Commissioner of Environmental Protection  
376 shall identify state-owned land for inclusion in the plan as potential  
377 components of a state greenways system.

378 Sec. 15. Subdivision (10) of section 25-201 of the general statutes is  
379 repealed and the following is substituted in lieu thereof:

380 (10) "Major state plan" means the [master transportation plan  
381 adopted pursuant to section 13b-15] strategic plan prepared pursuant  
382 to section 4 of this act, the plan for development of outdoor recreation  
383 adopted pursuant to section 22a-21, the solid waste management plan  
384 adopted pursuant to section 22a-211, the state-wide plan for the  
385 management of water resources adopted pursuant to section 22a-352,  
386 the state-wide environmental plan adopted pursuant to section 22a-8,  
387 the plan for the disposal of dredged material for Long Island Sound,  
388 the historic preservation plan adopted under the National Historic  
389 Preservation Act, as amended, the state-wide facility and capital plan  
390 adopted pursuant to section 4b-23, the water quality management plan  
391 adopted under the federal Clean Water Act, the marine resources  
392 management plan, the Connecticut hazardous waste management plan  
393 adopted pursuant to section 22a-134cc, the plan for managing forest  
394 resources, the wildlife management plans and the salmon restoration  
395 plan.

396 Sec. 16. Subsection (e) of section 25-204 of the general statutes is  
397 repealed and the following is substituted in lieu thereof:

398 (e) After adoption pursuant to subsection (d) of this section of an  
399 inventory, statement of objectives and map, the river committee shall  
400 prepare a report on all federal, state and municipal laws, plans,  
401 programs and proposed activities which may affect the river corridor  
402 defined in such map. Such laws shall include regulations adopted  
403 pursuant to chapter 440 and zoning, subdivision and site plan  
404 regulations adopted pursuant to section 8-3. Such plans shall include  
405 plans of conservation and development adopted pursuant to section 8-

406 23, the state plan for conservation and development, water utility  
407 supply plans adopted pursuant to section 25-32d, coordinated water  
408 system plans adopted pursuant to section 25-33h, the comprehensive  
409 energy plan adopted pursuant to section 16a-35m, municipal open  
410 space plans, the commissioner's fish and wildlife plans, [the master  
411 transportation plan adopted pursuant to section 13b-15] the strategic  
412 plan prepared pursuant to section 4 of this act, plans prepared by  
413 regional planning agencies pursuant to section 8-31a, and publicly-  
414 owned wastewater treatment facility plans. State and regional agencies  
415 shall, within available resources, assist the river committee in  
416 identifying such laws, plans, programs and proposed activities. The  
417 report to be prepared pursuant to this section shall identify any  
418 conflicts between such federal, state, regional and municipal laws,  
419 plans, programs and proposed activities and the river committee's  
420 objectives for river corridor protection and preservation as reflected in  
421 the statement of objectives. If conflicts are identified, the river  
422 committee shall notify the applicable state, regional or municipal  
423 agencies and such agencies shall, within available resources, attempt  
424 with the river commission to resolve such conflicts.

425 Sec. 17. Subdivision (4) of section 25-231 of the general statutes is  
426 repealed and the following is substituted in lieu thereof:

427 (4) "Major state plan" means any of the following: The [master  
428 transportation plan adopted pursuant to section 13b-15] strategic plan  
429 prepared pursuant to section 4 of this act, the plan for development of  
430 outdoor recreation adopted pursuant to section 22a-21, the solid waste  
431 management plan adopted pursuant to section 22a-211, the state-wide  
432 plan for the management of water resources adopted pursuant to  
433 section 22a-352, the state-wide environmental plan adopted pursuant  
434 to section 22a-8, the historic preservation plan adopted under the  
435 National Historic Preservation Act, 16 USC 470 et seq., the state-wide  
436 facility and capital plan adopted pursuant to section 4b-23, the long-  
437 range state housing plan adopted pursuant to section 8-37t, the

438 comprehensive energy plan adopted pursuant to section 16a-35m, the  
439 water quality management plan adopted under the federal Clean  
440 Water Act, 33 USC 1251 et seq., the Connecticut hazardous waste  
441 management plan adopted pursuant to section 22a-134cc, any plans for  
442 managing forest resources adopted pursuant to section 23-20 and the  
443 Connecticut River Atlantic Salmon Compact adopted pursuant to  
444 section 26-302.

445 Sec. 18. Subsection (e) of section 25-234 of the general statutes is  
446 repealed and the following is substituted in lieu thereof:

447 (e) After adoption of an inventory, statement of objectives and map,  
448 pursuant to subsection (d) of this section, the river commission shall  
449 prepare a report on all federal, state, regional and municipal laws,  
450 plans, programs and proposed activities which may affect the river  
451 corridor defined in such map. Such federal, state, regional and  
452 municipal laws shall include regulations adopted pursuant to chapter  
453 440, and zoning, subdivision and site plan regulations adopted  
454 pursuant to section 8-3. Such federal, state, regional and municipal  
455 plans shall include plans of development adopted pursuant to section  
456 8-23, the state plan for conservation and development, water utility  
457 supply plans submitted pursuant to section 25-32d, coordinated water  
458 system plans submitted pursuant to section 25-33h, the comprehensive  
459 energy plan adopted pursuant to section 16a-35m, the [master  
460 transportation plan adopted pursuant to section 13b-15] strategic plan  
461 prepared pursuant to section 4 of this act, plans prepared by regional  
462 planning organizations pursuant to section 8-31a and plans of  
463 publicly-owned wastewater treatment facilities whose discharges may  
464 affect the subject river corridor. State and regional agencies shall,  
465 within available resources, assist the river commission in identifying  
466 such laws, plans, programs and proposed activities. The report to be  
467 prepared pursuant to this section shall identify any conflicts between  
468 such federal, state, regional and municipal laws, plans, programs and  
469 proposed activities and the river commission's objectives for river



475       Sec. 19. Sections 13b-14, 13b-15 and 13b-16 of the general statutes are  
476   repealed.

<b>PRI</b>	Joint Favorable Subst. C/R-LCO	CE
<b>CE</b>	Joint Favorable	

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Costs

**Affected Agencies:** Departments of Transportation, Economic and Community Development, Public Safety, Environmental Protection, Office of Policy and Management

**Municipal Impact:** None

**Explanation****State Impact:**

Passage of this bill could have the following fiscal impact:

	FY 02	FY 03	FY 04	FY 05
Board Compensation	112,500	112,500	112,500	112,500
Other Expenses	15,000	0	10,000	0
Consultant(s)	900,000	0	400,000	0
Total Estimated Costs	1,027,500	112,500,	522,500	112,500

The bill makes it permissive for the Connecticut Transportation Board to hire staff within available appropriations. If the board decides to hire staff, the costs of hiring staff could prevent other projects from being undertaken and/or could delay projects that are

currently being undertaken.

In accordance with the bill, the annual compensation for each member of the board cannot exceed \$12,500. The \$112,500 assumes the maximum annual compensation for the nine-voting members of the board.

The bill requires the study and publication of five (5) major plans: 1) a Strategic Plan, 2) a Financial Plan, 3) a DOT Assessment Plan, 4) a Transit District Restructure Plan, and 5) an Airport Adequacy Plan. It is assumed that consultants would be hired to conduct the first three (3) plans listed above. The cost to hire consultants for each of the three (3) plans is estimated to be \$300,000. Moreover, the Strategic and Financial Plans must be reviewed and revised every two years. The cost of the revision could be \$200,000 each (shown in FY 04). The department can conduct the Transit District Restructure Plan, and the Airport Adequacy Plan within available resources.

Included in Other Expenses are: mailings, publishing public notices, supplies and printing of reports.

It is anticipated that participation or assistance, to the board, by the Departments of Transportation, Economic and Community Development, Public Safety, Environmental Protection and the Office of Policy and Management can be provided within available resources.

Although the board will be terminated effective July 1, 2006, costs for FY 06 could total \$522,500 (same costs as in FY 04), if the board is reestablished under the provisions of Section 2c-10 of the general statutes.

The repeal of Sections 13b-14, 13b-15 and 13b-16 will result in the reallocation of resources to the demands placed by the board such as the plans mentioned above which will be conducted within available resources.

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**OLR Bill Analysis**

sSB 1275

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING TRANSPORTATION PLANNING.*****SUMMARY:**

This bill creates the Connecticut Transportation Board and gives it broad powers over the Department of Transportation (DOT), the DOT commissioner, and state transportation planning. It gives the board the power to:

1. create a transportation vision statement and a mission statement for DOT,
2. develop and periodically revise a 10-year strategic state transportation plan and a 10-year financial plan,
3. determine the priority of “major” DOT projects,
4. assess and make organizational changes to DOT,
5. assess the state’s 15 regional planning organizations (RPOs) and recommend reducing the number of such organizations or ways to require them to address transportation issues from a larger geographical framework,
6. review and approve DOT’s operating and capital budget before submission to the governor,
7. recommend a list of candidates from which the governor must select a new commissioner in the event of a vacancy, and
8. recommend that the governor remove the commissioner if the board finds that he failed to carry out the board’s policies.

The bill makes numerous current powers of the commissioner subject to the board's direction.

DOT must serve as staff to the board, but the board may also hire staff it deems necessary, within available DOT appropriations. The bill authorizes the board to hire consultants to develop and revise the strategic plan.

The bill requires the board to report annually to the governor and the Transportation and Commerce committees on progress made in implementing the strategic plan. The board terminates on July 1, 2006 unless the General Assembly authorizes it to continue.

Under the bill, board members, other than the state commissioners, must receive compensation of \$250 a day for attending any public hearing, meeting, executive session or other board business, and up to \$12,500 annually.

EFFECTIVE DATE: October 1, 2001

## **CONNECTICUT TRANSPORTATION BOARD**

### ***Members and Structure***

The board consists of nine voting members, serving four-year terms, and five nonvoting state agency heads. The governor must appoint five members, at least one of whom must be a member of the board of directors or any board or commission that oversees Bradley International Airport. He also selects the chairman. The House speaker, the Senate president pro tempore, and the House and Senate minority leaders each appoint one of the other four members. No appointed member can be a DOT employee. Appointed members must be knowledgeable about transportation and economic issues, and the appointing authorities must consider the board's "geographical balance" in making appointments.

The agency heads that must serve on the board are the commissioners of transportation, economic and community development, public safety, and environmental protection, and the secretary of policy and

management. Five board members constitute a quorum.

## **BOARD POWERS AND DUTIES**

### ***Strategic Plan***

The bill requires the board to create, in consultation with DOT, a 10-year strategic plan for operating, maintaining, and improving the state's transportation system. (The bill is inconsistent about the deadline for this plan. One provision indicates the board has one year after its formation; another requires that if the plan is not finished by October 1, 2002, the board must report to the General Assembly explaining why it is not finished and what progress has been made.) The plan must:

1. address the role of transportation in economic development including promoting mobility and productivity, improving the links between different transportation modes, enhancing the state's connection to national and global transportation networks, and supporting industry clusters and regional economic needs;
2. address other societal goals such as ensuring the safety and maintenance of the transportation system, balancing transportation and economic needs with environmental concerns consistent with the state Plan of Conservation and Development, and providing mobility to underserved populations;
3. identify objective criteria and procedures for prioritizing state transportation needs and expenditures as they relate to the strategic plan; and
4. address issues affecting transportation that are outside DOT's control such as coordinating land-use issues with transportation projects, and coordinating efforts with other state agencies, public and private transportation facilities, and neighboring states.

The board may conduct public hearings to develop, and later revise,

the plan and may consult with any necessary federal, state, or local officials or private individuals or entities. It also may incorporate any existing long-range transportation plan developed by any public or private agency or person. The board must update the plan every two years and submit it and each update to the governor and the General Assembly. The board may employ consultants to help develop and revise the plan.

If the board has not completed the strategic plan by October 1, 2002, it must report to the General Assembly, by that same date, on its progress and explain why it has not done so.

### ***Financial Plan***

By October 1, 2002, the bill requires the board to create a 10-year financial plan to identify the funding levels necessary to reach the strategic plan goals. The plan must include:

1. an analysis of the costs of implementing strategic plan goals, including the effect of reallocating current resources, exploring new funding sources, increasing current fees and charges, and the feasibility of using the General Fund;
2. recommendations of preferred funding mechanisms;
3. the amount of funds and projects to be undertaken to comply with the 1990 Americans with Disabilities Act; and
4. a detailed assessment of federal funding under the Transportation Equity Act for the 21<sup>st</sup> Century, including a breakdown of projects by funding category, to what degree they require matching state funds, and the amount of federal funds for repairing bridges in poor condition, for mass transit, for congestion mitigation and air quality, and an estimate of the impact of the federal funds in terms of jobs created and retained.

The board must update the plan every two years and submit it with updates to the governor and the General Assembly. If the board has not completed the financial plan by October 1, 2002, it must report its

progress to the General Assembly by the same date, and explain why it has not done so.

### ***Priority Projects***

The bill allows the board to determine the priority of major DOT projects, but it does not specify what would constitute a major project.

### ***Assessments of DOT and RPOs***

The board must submit the following assessments to the governor and the General Assembly by October 1, 2002.

***DOT Assessment and Reorganization.*** The bill requires the board to prepare a detailed assessment of DOT's organization that includes (1) a determination of whether DOT is organized properly to carry out its duties under the strategic plan and (2) an analysis of the department's workforce, structure, managerial style, and competencies. Under the bill, the board is also authorized to make any organizational changes based on the assessments and to oversee any such changes that take place.

***RPOs Assessment and Recommendations.*** The board must prepare an assessment of the state's 15 RPOs and recommend (1) reducing their number by changing their boundaries to better reflect transportation patterns and economic activity or (2) ways to force them to address transportation issues from a larger geographical framework.

### ***DOT's Budget***

Under the bill, the board must review and approve DOT's proposed operating and capital budget before DOT submits them to the governor.

### ***DOT Commissioner***

The bill authorizes the board to make findings of inadequate performance by the commissioner (specifically failure to carry out the board's policies, incapacity, neglect of duty or unlawful conduct) and, if it chooses, submit them to the governor with a recommendation for



the commissioner's removal. The bill also makes the commissioner's powers under current law subject to the board's direction.

### ***DOT Commissioner Vacancy***

If the commissioner's position becomes vacant, the board must submit a list of at least three qualified candidates to the governor, who must choose a new commissioner from that list.

## **ELIMINATION OF EXISTING TRANSPORTATION PLANS**

The bill eliminates current requirements directing the commissioner to develop (1) a long-range transportation plan, (2) a master transportation plan, and (3) an existing transportation facilities study. It replaces them with the strategic plan.

## **BACKGROUND**

### ***Related Bill***

An Act Implementing the Recommendations of the Transportation Strategy Board (sHB 6985) creates a Transportation Strategy Board to develop a state transportation strategy for approval by the General Assembly. The Transportation Committee reported this bill out favorably on April 2.

## **COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable Change of Reference

Yea 11      Nay 0

Commerce Committee

Joint Favorable Report

Yea 24      Nay 0